



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 6, 2000

### **S. 2042**

#### **Pardon Attorney Reform and Integrity Act**

*As ordered reported by the Senate Committee on the Judiciary on February 24, 2000*

CBO estimates that implementing S. 2042 could increase discretionary spending by up to \$2 million a year, assuming the appropriation of the necessary amounts. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 2042 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 2042 would set requirements for reports written by the Office of the Pardon Attorney, within the Department of Justice (DOJ), regarding petitions for clemency. The legislation would require each report to include opinions of federal, state, and local law enforcement officials, judges, prosecutors, probation officers, prison officials, and victims. In addition, the bill would require the office to notify the victims of each offense committed by an individual who is subject to a grant of clemency.

The Office of the Pardon Attorney receives and reviews approximately 1,000 petitions for clemency each year with 15 full-time staff members and a current annual budget of \$1.6 million. Many of the petitions require little investigation beyond gathering a pre-sentence report and any published court opinions. If a summary denial is not determined after the initial review, further investigation may include contacting victims and officials involved in the case. Currently, the office investigates all petitions for clemency; therefore, we assume all petitions would fall under the provisions of S. 2042.

Based on information from DOJ, CBO expects that S. 2042 could double the workload of the Office of the Pardon Attorney. The increase in workload would stem from the additional time and effort necessary to meet the bill's requirements to contact and determine the opinions of all individuals involved in each case. CBO estimates that implementing S. 2042 would increase discretionary spending by up to \$2 million a year, assuming the appropriation of the necessary amounts. The cost to implement this legislation could vary, however, depending on DOJ's interpretation of the requirements that would be established by the bill.

The CBO staff contact for this estimate is Lanette J. Keith. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director of Budget Analysis.